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EXAMINER	
NGUYEN, NAM V	

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/869,542	SUURONEN ET AL.	
	Examiner	Art Unit	
	Nam V. Nguyen	2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/30/05*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-10,12,14,15,17-20,22-26,28-32,36-46,56-71 and 73-80* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *70 and 71* is/are allowed.

6)☒ Claim(s) *1-4,6-10,12,14,15,17-20,22-26,28-32,36-46,56-69 and 73-80* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 December 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This communication is in response to applicant's response to an Amendment which is filed December 30, 2005.

An amendment to the claims 1, 3-4, 17, 19-20, 25-26, 40-46, 67 and 70-71 have been entered and made of record.

Claim 13, 27 and 47-55 are cancelled. A new set of Claims 73-80 are added.

Claims 1-4, 6-10, 12, 14-15, 17-20, 22-26, 28-32, 36-46, 56-71 and 73-80 are pending.

Response to Arguments

The replacement drawing(s) were received on December 30, 2005. These drawing are accepted. Applicant is advised to submit new formal drawings including changes required by the proposed drawing correction filed on December 30, 2005, which has been approved by the examiner.

Applicant's amendment and argument with respect to the pending claims 1, 3-4, 17, 19-20, 25-26, 40-46 and 67, filed December 30, 2005 have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Objections

Claims 39, 43, 59 and 65 objected to because of the following informalities: Claims 39, 43 and 59 depend from a cancelled Claim 21 and Claim 65 depend from a cancelled Claim 27. An appropriate correction is required. Examiner believes that Claims 39, 43 and 59 and 65 should depend on claim 17.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 6-10, 12, 14-15, 17-20, 22, 25-26, 29-32, 36-44, 67-68 and 73-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Duhame et al. (US# 5,541,585).

Referring to claims 1, 17 and 67, Miller et al. disclose a method and an arrangement for configuring a device (28) (i.e. a vehicle seat) of a system (20) (i.e. a vehicle based system) by transferring control information (i.e. a signal) defining the user's preferences (i.e. a driver's individual selections) from a portable controller (35) (i.e. a portable key fob) thereto (column 2

lines 6 to 16; see Figures 1 to 3), wherein the portable controller (35) (i.e. a portable key fob) comprises:

memory circuitry (i.e. a memory on key fob 35) for arranged to store and retrieve the control information defining the user's preferences (i.e. an individual preferences) for configuring the device (28) (column 4 lines 1 to 20; see Figure 1A); and

a radio transmitter operable to transmit a signal in order to transfer to the system the retrieved control information defining the user's preferences for configuring the device (28) (i.e. a vehicle seat) (column 2 lines 6 to 22; column 4 lines 1 to 32; see Figure 1A); and

wherein the system (20) (i.e. a vehicle based system) (see Figures 1 to 3) comprises:

a radio receiver (36) for coupling with the radio transmitter (i.e. a transmitter of fob 35) of the portable controller (35) (i.e. a fob) to receive on the receiver (36) with the portable controller (35) (i.e. a fob) in order to transfer the retrieved control information defining user's preferences to the system (20) (i.e. a vehicle based system) (column 3 lines 57 to 67; see Figure 1A); and

control means (26) (i.e. a controller of the vehicle system 20) arranged to configure the device (28) in dependence upon the transferred control information (i.e. a control signal) (column 3 lines 57 to column 4 line 32; see Figures 1-3).

However, Miller et al. did not explicitly disclose a radio transceiver operable to transmit and receive on a low power radio frequency bi-directional link.

In the same field of endeavor of a portable remote control system, Duhame et al. teach that a radio transceiver (18) (i.e. a portable transceiver) operable to transmit and receive on a low power radio frequency bi-directional link (column 4 line 20 to 62; column 6 line 32 to 46; see

Figures 1 to 4) in order to communicate control information which effects desired operation of electronic appliances to the user's preferences.

One of ordinary skilled in the art recognizes using a portable transceiver to communicate with a fixed transceiver to control a plurality apparatuses according to the user's preferences taught by Duhame et al. in a key fob that stores desired settings for at least some parameters of Miller because Miller suggests it is desired to configure a key fob to transmit signal to a vehicle based system and able to receive the settings set by the individual operator from a vehicle based system (column 3 line 56 to column 4 line 20) and Duhame et al. teach that a portable transceiver for coupling with a fixed transceiver to transfer a radio frequency signal to a security system (column 4 lines 20 to 62; see Figures 1 to 4) in order verify the signal of an authorized portable transceiver and to control the features of apparatus to conform to the authorized user's preferences. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use a portable transceiver to communicate with a fixed transceiver to control a plurality apparatuses according to the user's preferences taught by Duhame et al. in a key fob that stores desired settings for at least some parameters of Miller with the motivation for doing so would have been to transfer stored desired settings bi-directionally in order to have a convenient personalization vehicle system.

Referring to claim 2, Miller et al. in view of Duhame et al. disclose an arrangement as claimed in claim 1, Miller et al. disclose wherein the system (20) comprises a plurality of devices (28 to 34) and the control means (26) (i.e. a control) is arranged to configure the devices (28 to

34) in dependence upon transferred control information (a signal) (column 2 lines 6 to 22; column 3 lines 57 to 67; see Figure 1A).

Referring to claims 3-4, 19 and 29, Miller et al. in view of Duhame et al. disclose an arrangement and controller as claimed in Claims 1 and 18, Miller et al. disclose wherein the output means is arranged to transfer to the system (20) retrieved control information (i.e. signals) for the devices (28 to 34) of the system (20) (column 2 lines 6 to 22; column 3 lines 57 to 67; see Figure 1A).

Referring to claims 6, 22, 30-32, 36-39 and 68, Miller et al. in view of Duhame et al. disclose an arrangement, a method and a controller as claimed in Claims 1-4, 17-21 and 67, Miller et al. disclose wherein the memory circuitry (i.e. a memory of a key fob 35) stores and retrieves information identifying a particular system (20) and the control information only configures the devices (28 to 34) of that particular system (20) (column 2 lines 6 to 22; column 3 lines 57 to 67; see Figure 1A).

Referring to claim 7, Miller et al. in view of Duhame et al. disclose an arrangement as claimed in Claim 6, Miller et al. disclose wherein the device or devices (28-34) are security devices (i.e. these devices operate only with authorized code signal) (column 3 lines 57 to 67; see Figure 1A).

Referring to claim 8, Miller et al. in view of Duhame et al. disclose an arrangement as claimed in Claim 1, Miller et al. disclose wherein the system (20) is a vehicle control system (column 3 lines 22 to 50; see Figure 1A).

Referring to claim 9, Miller et al. in view of Duhame et al. disclose an arrangement as claimed in Claim 8, Miller et al. disclose wherein the device or devices (28-34) includes a seat positioner or a mirror positioner (column 3 lines 37 to 50; column 4 line 1 to 20; see Figures 1-3).

Referring to claim 10, Miller et al. in view of Duhame et al. disclose an arrangement as claimed in Claim 1, Miller et al. disclose wherein the controller (35) (i.e. a key fob) is removable from the environment of the system (20) (column 3 lines 57 to 67; see Figure 1A).

Referring to claim 12, Miller et al. in view of Duhame et al. disclose an arrangement as claimed in Claim 1, Miller et al. disclose wherein the controller (35) is a handportable radio device (i.e. a key fob) (column 3 lines 57 to 67; see Figure 1A).

Referring to claim 14, Miller et al. in view of Duhame et al. disclose an arrangement as claimed in Claim 1, Miller et al. disclose wherein the device (28-34) is electronically controlled by the system (20) (column 3 lines 37 to 50; see Figures 1 to 3).

Referring to claim 15, Miller et al. in view of Duhame et al. disclose an arrangement as claimed in Claim 1, Duhame et al. disclose wherein the system (i.e. a security system) comprises a processor and memory (i.e. in a fixed transceiver), wherein the memory stores the transferred information and the processor controls the operation of the device (40 or 52) (i.e. a indoor light or a thermostat), reconfiguring it in dependence upon the received control information (i.e. a valid response signal) (column 6 lines 32 to 46; column 7 lines 3 to 50; see Figures 1-4). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need to have memory stores the transferred information in the fixed transceiver taught by Duhame et al. in a vehicle based system of Miller et al. because storing personal references in the fixed transceiver would improve configuring the function of devices more reliable that has been shown to be desirable in the control system of Miller et al.

Referring to claim 18, Miller et al. in view of Duhame et al. disclose a controller as claimed in Claim 17, Miller et al. disclose wherein memory circuitry (i.e. memory) is arranged to store control information (i.e. an information signal) for configuring a plurality of devices (28-34) of the system (10) (column 4 lines 1 to 20; see Figures 1-4).

Referring to claim 20, Miller et al. in view of Duhame et al. disclose a controller as claimed in Claim 18, Miller et al disclose wherein the outputs means (i.e. transmitter of a key fob 35) transfers to the system (20) retrieved control information (i.e. control signals) for a selection of devices (28 to 34) of the system (20) defined by the user (column 2 line 1 to 16; column 4 line 1 to 20; see Figure 1A).

Referring to claims 25-26, 40-44 and 73-74, Miller et al. in view of Duhame et al. disclose a method and a controller as claimed in Claims 1, 17-22 and 67, Duhame et al. discloses wherein said the controller (18) (i.e. a portable transceiver) comprises means for performing a handshaking procedure with the system (16) (i.e. a fixed transceiver) (column 7 lines 3 to 20; see Figure 4). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need to have the portable transceiver for performing a handshaking procedure by Duhame et al. in a vehicle based system of Miller et al. because the portable transceiver would automatically response to the system to improve efficiency that has been shown to be desirable in the control system of Miller et al.

Referring to claims 75-76, Miller et al. in view of Duhame et al. disclose a method and a controller as claimed in Claim 1, Duhame et al. discloses wherein the retrieved control information is transferred automatically from the portable controller (18) to the system (16) in response to the portable controller (18) entering the environment (i.e. zone) of the system (16) (column 4 lines 3 to 18; see Figure 2) in order to avoid false detections by presence detector.

Referring to claim 77, Miller et al. in view of Duhame et al. disclose a method and a controller as claimed in Claim 1, Miller et al. discloses wherein the portable controller comprises input means (i.e. a set input button) for receiving control information defining the user's preferences for configuring the device (35) (column 4 lines 1 to 20; see Figure 1A).

Claims 23-24, 45-46 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Duhame et al. (US# 5,541,585) as applied to claims 22 and 67, and in further view of Farleigh (US# 6,208,388).

Referring to claims 23-24 and 69, Miller et al. in view of Duhame et al. disclose a controller as claimed in claims 22 and 67, however, Miller et al. in view of Duhame et al. did not explicitly disclose wherein the memory circuitry comprises a look-up table for associating the identity of the system and its devices with the respective device control information.

In the same field of endeavor of remote control program system, Farleigh teaches that a memory circuitry (44) comprises a look-up table for associating the identity of the system (10) (i.e. a channel responsive television input signal interface circuit) and its devices (14) (i.e. a television) with the respective device control information (i.e. broadcast signals) (column 5 lines 11 to 39; column 6 lines 37 to 64; see Figures 2B and 5) in order to store user selection program.

One of ordinary skilled in the art recognizes using a look-up table memory for storing a user channel selection program of Farleigh in a memory to stores information relating to programmed code sequences to be performed by controller of a remote control system of Miller et al. in view of Duhame et al. because Miller et al. suggests it is desired to program the key fob used to select a function which the controlled appliance should be operated (column 4 lines 1 to 20) and Farleigh teaches that using a look-up table memory to store associating the identity of a channel responsive television input signal interface circuit (column 5 lines 11 to 39) in order to reduce time for selection of the same program. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use a look-up table

memory for storing a user channel selection program of Farleigh in a memory to stores information relating to programmed code sequences to be performed by controller of a remote control system of Miller et al. in view of Duhame et al. with the motivation for doing so would have been to provide controller to select a controlled program quickly in a remote and programmable control system.

Referring to claims 45-46, Miller et al. in view of Duhame et al. and in further view of Farleigh discloses a controller as claimed in Claims 23-24, the claims 45-46 same in that the claim 25 already addressed above therefore claims 45-46 are also rejected for the same reasons given with respect to claim 25.

Claims 28, 56-60 and 63-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Duhame et al. (US# 5,541,585) as applied to Claims 17-22 and 25-26, and in further view of Simon et al. (US# 5,937,065).

Referring to Claims 28, 56-60 and 63-65, Miller et al. in view of Duhame et al. disclose a controller as claimed in Claims 17-22 and 25-27, however, Miller et al. in view of Duhame et al. did not explicitly disclose wherein the power to operate said controller is provided by the system to which control information is transferred.

In the same field of endeavor of remote control vehicle system, Simon et al. teach that a power to operate said controller (12) (i.e. a remote control) is provided by the system (14) (i.e. a

vehicle control circuit) to which control information is transferred (column 4 line 60 to column 5 line 2; see Figures 1 and 3-4) in order to avoid using a battery.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize to use a remote control device derived power from received RF signal energy of Simon et al. with a configurable remote control key fob of Miller et al. in view of Duhame et al. because using power derived from received RF signal energy would improve the reliable communication that has been shown to be desirable in the remote control device of Miller et al. in view of Duhame et al.

Claims 61-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Duhame et al. (US# 5,541,585) and in further view of Farleigh (US# 6,208,388) as applied to Claims 23-24 and in further view of Simon et al. (US# 5,937,065).

Referring to claims 61-62, Miller et al. in view of Duhame et al. and in view of Farleigh discloses a controller as claimed in Claims 23-24, the claims 61-62 same in that the claim 28 already addressed above therefore claims 61-62 are also rejected for the same reasons given with respect to claim 28.

Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Duhame et al. (US# 5,541,585) as applied to claim 17, and in further view of Grube et al. (US# 5,201,067).

Referring to claim 66, Miller et al. in view of Duhame et al. disclose a controller as claimed in claim 17, however, Miller et al. in view of Duhame et al. did not explicitly disclose wherein the portable controller comprises a mobile phone.

In the same field of endeavor of remote control system, Grube et al. teaches that a portable controller (100) (i.e. a personal communications device) comprises a mobile phone (i.e. cellular phone) (column 3 line 48 to column 4 line 8; see Figures 1-2) in order to facilitate remote control of a remote controlled device.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using a cellular telephone to transmit control signals of Grube et al. with a configurable remote control key fob of Miller et al. in view of Duhame et al. because using a personal cellular telephone to transmit control signals would increase effective service of facilitating remote control and avoiding using a plurality of remote control devices that has been shown to be desirable in the remote control system of Miller et al. in view of Duhame et al.

Claims 78-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Duhame et al. (US# 5,541,585) as applied to Claims 1 and 77, and in further view of Yang (US# 6,133,847).

Referring to Claim 78, Miller et al. in view of Duhame et al. disclose a controller as claimed in Claim 77, however, Miller et al. in view of Duhame et al. did not explicitly disclose wherein the input means is for receiving control information directly from a computer.

In the same field of endeavor of remote control system, Yang teaches that an input means (110) (i.e. an input interface) is for receiving control information directly from a computer (600) (i.e. a storage device) (column 8 lines 30 to 66; see Figure 6) in order to download programming code for controlling a particular appliance.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize to connect a remote control device to a storage device for downloading a programming code taught by Yang in a configurable remote control key fob of Miller et al. in view of Duhame et al. because downloading from a storage device would improve the convenient way of controlling user's preferences that has been shown to be desirable in the remote control system of Miller et al. in view of Duhame et al.

Referring to claim 79, Miller et al. in view of Duhame et al. disclose a controller as claimed in claim 1, Yang discloses wherein the portable controller (100) (i.e. a remote control device) comprises an output (140) (i.e. a user interface) for giving information to a user (column 3 lines 47 to 65; column 4 lines 16 to 57; see Figures 1 to 6).

Claim 80 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US# 5,808,374) in view of Duhame et al. (US# 5,541,585) as applied to Claim 1, and in further view of Samford (US# 5,535,844).

Referring to Claim 80, Miller et al. in view of Duhame et al. disclose a controller as claimed in Claim 1, however, Miller et al. in view of Duhame et al. did not explicitly disclose wherein the portable controller comprises a car phone.

In the same field of endeavor of remote control system for a vehicle, Samford teaches that a portable controller (12) (i.e. handle-held portable remote control unit) comprises a car phone (column 7 lines 18 to 44; column 9 line 48 to column 10 line 14; see Figure 8) in order to communicate with an operator to provide further information in case of an emergency.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize to use a remote control as a cellular phone in a vehicle to communicate with an operator taught by Samford in a configurable remote control key fob of Miller et al. in view of Duhame et al. because using a remote control unit as a cellular phone would improve the safety and convenient in a vehicle remote control device that has been shown to be desirable in the remote control device of Miller et al. in view of Duhame et al.

Allowable Subject Matter

Claims 70-71 are allowed as evident by applicant's amendment and arguments.

Referring to claims 70-71, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations wherein said memory circuitry arranged to store first control information defining the user's preferences for configuring a first device in association with first identifier, and second control information defining the user's

preferences for configuring a second device in association with a second identifier, and arranged to retrieve the first control information defining the user's preferences for configuring the first device in response to a request associated with the first identifier, and to retrieve the second control information defining the user's preferences for configuring the second device in response to a request associated with the second identifier.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen
March 31, 2006

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